

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 3:05-CR-32
)	(PHILLIPS/GUYTON)
STEVE SHIPLEY,)	
JEREMY ROBBINS,)	
DIANE SHANDS ROBBINS,)	
VAIRAME TEDESCO,)	
SIDNEY DOUGLAS ADAMS, and)	
SHEILA ADAMS,)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. The parties came before the Court on November 9, 2005, for a scheduled evidentiary hearing on pending motions. Assistant United States Attorney Hugh B. Ward, Jr., represented the government. The following defense counsel were present: Randall E. Reagan representing Steve Shipley, James A.H. Bell and Richard Gaines representing Jeremy Robbins, Jeff Daniels representing Diane Shands Robbins, Joel S. Walter and Jonathan Cooper representing Vairame Tedesco, Ralph Harwell and Tracy Smith representing Sidney Douglas Adams, Mike Whalen representing Sheila Adams, and Donald A. Bosch representing William S. Denton, III.¹ Defendants Jeremy Robbins, Diane Shands Robbins, and Vairame Tedesco were also present. The remaining defendants were excused from the hearing, having entered into signed plea agreements with the government.

¹Defendant Denton was charged in the Superseding Indictment [Doc. 23] but is not charged in the Second Superseding Indictment [Doc. 191].

At the hearing, the government announced that Defendants Sidney Douglas Adams, Sheila Adams, and Steve Shipley had entered into signed plea agreements the previous evening. The parties made a joint, oral motion to continue the two-day motion hearings in order to determine what motions needed to be heard in light of the aforementioned plea agreements. The parties also need time to prepare and clarify the scope of the remaining motions. All defense counsel whose clients remain in the case agreed with the need to continue the hearing. Defense counsel for those defendants who have entered into plea agreements had no position on the requested continuance.

The Court finds the joint, oral motion to continue the motion hearings to be well-taken. The Court notes that there are presently seventy-seven motions pending in the case. Codefendants have asked to join in the bulk of these motions. The Court finds that the need to clarify and prepare those motions that will be pursued by the remaining defendants constitutes good cause for a continuance of the motion hearing. Accordingly, the joint, oral motion to continue the motion hearings in this case is **GRANTED**. The motion hearings are reset to **January 9 and 10, 2006, at 9:00 a.m.** The government and counsel for Mr. and Mrs. Robbins and Ms. Tedesco have agreed to confer and provide the Court with a list of those motions that will be heard on these dates.

Attorney Bell requested that the Court direct the witnesses subpoenaed for the November 9 hearing to reappear on January 9 pursuant to the same subpoena. The government had no objection to this request. The Court **ORDERS** that the subpoenas issued for witnesses to appear for the November 9 hearing will remain effective for the January 9, 2006 hearing.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge